

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: New Era Hospitality

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§

**Case No. 11-36492-H5-11
(Chapter 11)**

MOTION FOR RELIEF FROM THE STAY

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT AUGUST 24, 2011 AND YOU MUST ATTEND THE HEARING.

THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN SEVEN DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON AUGUST 31, 2011 AT 9:00AM IN COURTROOM 403, 4th FLOOR, 515 RUSK, HOUSTON, TEXAS 77002.

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: JLE Investors, Inc.
3. Movant, directly or as agent for the holder, holds a security interest in 801 St. Joseph Parkway, Houston, TX 77066 – 0.7400 acres (32,232 square feet) of land, more or less, situated in the city of Houston, Harris County, TX, out of the Obedience Smith Survey, Abstract Number 695 and being all of Lots One (1), Two (2), Three (3), Four (4), and Five (5) and parts of Lots Eleven (11), and Twelve (12), Block Three Hundred Eighty-eight (388), SOUTH SIDE OF BUFFALO BAYOU, and all of that certain tract or parcel of land recovered by Plaintiff in Cause No. 95515, styled F.T. Shepherd vs. City of Houston in the District Court of Harris County, Texas, 11th Judicial District.
4. The property described in paragraph 3 is not claimed as exempt by the debtor.
5. Type of collateral: Improved Real Property/Commercial Multi-Story
6. Debtor's scheduled value of property: \$14,000,000.00.
7. Movant's estimated value of property: \$4,000,000.00.
8. Total amount owed to movant: approximately \$4,300,000.00.
9. Estimated equity (paragraph 7 minus paragraph 8): \$0.00.
10. Total pre and post-petition arrearages: \$189,740.78.
11. Total post-petition arrearages: \$0.00.
12. Amount of unpaid, past due property taxes, if applicable: Debtor obtained a tax loan prepetition, so while the taxes have technically been paid, a superior lien has been placed on the property for 2010 property taxes.
13. Expiration date on insurance policy, if applicable: No Property Insurance (Hazard or liability).
14. XXX Movant seeks relief for cause as the loan on the building matured May, 2011 and remains unpaid, the building is uninsured, a tax loan was taken out by the Debtor to pay the 2010 taxes, the building is vacant and must be renovated before it is habitable and the property does not produce any income for the Debtor – it is not necessary for a reorganization.
15. XXX. Movant seeks relief based on the debtor's failure to provide a certificate of insurance reflecting insurance coverage as required under the debtor's pre-petition contracts.

16. Based on the foregoing, movant seeks termination of the automatic stay to allow movant to foreclose or repossess the debtor's property and seeks to recover its costs and attorneys' fees in an amount not to exceed the amount listed in paragraph 9.

17. Movant certifies that prior to filing this motion an attempt was made to confer with the Debtor's counsel by telephone, by the following person on the following date and time: Johnie Patterson called Mr. Milledge twice and left messages on Monday, August 8, 2011. No response was received.

Date: 8/11/2011

/s/ Johnie Patterson

Name: Johnie Patterson

SBN.: 15601700

P.O. Box 61301

Houston, TX 77208

Telephone: 713.956.5577

Fax: 713.956.5570

E-mail: jip@walkerandpatterson.com

Certificate of Service and Certificate of Compliance with BLR 4001

A copy of this motion was served on the persons shown on exhibit "1" at the addresses reflected on that exhibit on August 11, 2011. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/ Johnie Patterson

Movant's Counsel